

Notice of Intent to Certify Sole Source

To: Interested Parties
From: Craig P. Orgeron, Ph.D. *en*
CC: ITS Project Number 42595
Date: May 10, 2016
Re: Sole Source Certification Number 3912 for Center for Internet Security (CIS) Security Benchmark Membership for the Mississippi Department of Information Technology Services (ITS)
Contact Name: Cerria Walker
Contact Phone Number: 601-432-8013
Contact E-mail Address: cerria.walker@its.ms.gov

Sole Source Certification Award Details

Regarding Information Technology Services (ITS) Sole Source Certification Number 3912 for CIS Security Benchmark Membership for the Mississippi Department of Information Technology Services (ITS), please be advised that ITS intends to award the membership to Center for Internet Security Inc. as the sole source provider of CIS security benchmark membership through March 19, 2019, in an amount not to exceed \$15,750.00. For an explanation regarding Mississippi state law, policy and procedures for sole source procurements, refer to Attachment C: Sole Source Procurement Overview.

Sole Source Criteria

1. The product or services being purchased must perform a function for which no other product or source of services exist:

CIS Security Benchmarks provide cost-effective, consensus-based and internationally recognized solutions that help agencies improve their cyber security and compliance posture. This membership gives each state agency access to the security benchmark resources. The customer's sole source certification request is included as Attachment A.

2. The purchaser must be able to show specific business objectives that can be met only through the unique product or services:

CIS is the only organization which has produced and distributes consensus-based benchmarks, covering a wide variety of operating systems, applications, and devices. ITS has made a business decision to continue using the security benchmark resources. The customer's sole source certification request is included as Attachment A.

3. The product or services must be available only from the manufacturer and not through resellers who could submit competitive pricing for the product or services:

CIS is the sole source from which to purchase a CIS Security Benchmarks Membership and to obtain the right to use the CIS Benchmarks and Scoring Tools. The Vendor's sole source certification letter is included as Attachment B.

Schedule

Task	Date
First Advertisement Date	05/10/16
Second Advertisement Date	05/17/16
Response Deadline From Objectors	05/24/16, at 3:00 P.M. Central Time
Notice of Award/No Award Posted	Not before 05/25/16

Project Details

An integral component of the security posture of any organization is the process of ensuring that IT systems and applications are configured securely. ITS started subscribing to the CIS security benchmark membership in February 2014, and has spent \$14,700.00 to date. ITS has made a business decision to continue using the security benchmark resources. This membership provides state resources with the tools and information they need to assist with configuring their information systems securely.

Submission Instructions and Format of Response from Objecting Parties

Interested parties who have reason to believe that the CIS security benchmark membership should not be certified as a sole source should provide information in the following format for the state to use in determining whether or not to proceed with awarding the Sole Source contract to Center for Internet Security Inc.,.

1.1 Interested Party Information

1.1.1 Contact Name, Phone Number and email address

1.1.2 Company Website URL, if applicable

1.2 Objection to Sole Source Certification

1.2.1 Interested parties must present specific objections to the Sole Source certification using the criteria listed above.

1.2.2 A statement regarding the Interested Party's capabilities as related to this Sole Source Certification Request.

1.3 Comments will be accepted at any time prior to Tuesday, May 24, 2016, at 3:00 p.m. (Central Time) to Cerria Walker at cerria.walker@its.ms.gov or at the Mississippi Department of Information Technology Services, 3771 Eastwood Drive, Jackson, Mississippi 39211. Responses may be delivered by hand, via regular mail, overnight delivery, e-mail or by fax. Fax number is (601) 713-6380. ITS WILL NOT BE RESPONSIBLE FOR DELAYS IN THE DELIVERY OF RESPONSES. It is solely the responsibility of the Interested Parties that responses reach ITS on time. Interested Parties may contact Cerria Walker to verify the receipt of their Responses. Responses received after the deadline will be rejected.

1.4 Interested Party responses should include the following information:

**SUBMITTED IN RESPONSE TO
Sole Source Certification No. 3912-42595
Accepted until May 24, 2016 @ 3:00 p.m.,
ATTENTION: Cerria Walker**

If you have any questions concerning the information above or if we can be of further assistance, please contact Cerria Walker at 601-432-8013 or via email at cerria.walker@its.ms.gov.

Attachment A: Customer Sole Source Certification Request
Attachment B: Vendor Correspondence
Attachment C: Sole Source Procurement Overview



3771 Eastwood Drive
Jackson, Mississippi 39211
Phone 601-432-8000 Fax 601-713-6380

Sole Source Certification Request

Project Title: CIS Security Benchmark Membership			Stimulus (ARRA) Funds? Yes No <u>X</u>	
Customer Contact Information				
Agency/Public University: ITS- Information Technology Services Address: 3771 Eastwood Drive Jackson, MS 39211			Contact Person: Jay White Phone: (601)-432-8180 Fax: Email Address: jay.white@its.ms.gov	
MAGIC Customer Number (only required from state agencies): 7000000174 (ITS-Data Services)			Division/Dept.: Handmail: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Project Summary Narrative Description of Project (include details of original acquisition if applicable): An integral component of the security posture of any organization is the process of ensuring that IT systems and applications are configured securely. This membership provides state resources with the tools and information they need to assist with configuring their information systems securely.				
ITS Acquisition Approval (CP-1) should be effective through this date (Please allow time for all vendor invoices to be paid):				
Cost Estimates <i>Fiscal Year</i>	Initial Costs	Ongoing Costs	Time Constraints Item Needed by: 2/15/16 Funds Expire: 6/30/16	Anticipated Lifecycle of Products/System (i.e. estimated years of effective use): 3 year
2016-2020	\$15,750.00		Discuss Funding (e.g. how much of needed funding is definite; total project budget; any matching or other non state funds)	
Total				
Acquisition Details				
Items Requested	Quantity	Description		Building Location(s)
CIS Security Benchmarks Enterprise Membership	1	This membership provides all state agency staff with tools and information needed to assist with configuring information systems securely.		N/A
Describe platform & infrastructure (connectivity; software/hardware platforms; utilization of State Data Center resources: mainframe, eGovernment portal, payment engine, document management, hosting). For equipment or hosting outside the State Data Center, attach justification: Membership resources accessed online.				
Progress to Date: What has been done related to this project, including any communication with ITS staff (data/voice/procurement/other)?				
Sole Source Certification Note: Certification must be renewed for each revision or continuation of previous Sole Source Approvals.				
Specific business requirements to be met by the requested products or services: CIS is the only organization which has produced and distributes consensus-based benchmarks, covering a wide variety of operating systems, applications, and devices. ITS has made a business decision to continue using the security benchmark resources.				
Explain why these products or services are the only ones that can meet your needs (include unique features/special functionality): CIS Security Benchmarks provide cost-effective, consensus-based and internationally recognized solutions that help agencies improve their cyber security and compliance posture. This membership gives each state agency access to the security benchmark resources.				
Explain why the source is the only entity that can provide the products or services (Include other products/vendors researched or evaluated): CIS is the sole source from which to purchase a CIS Security Benchmarks Membership and to obtain the right to use the CIS Benchmarks and Scoring Tools. See the vendor sole source letter.				
Explain why the amount to be expended for the services is reasonable: N/A				
Explain what your agency did to obtain the best possible price for the services: N/A				
Vendor's Certification of Sole Source attached: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			Vendor's proposal submitted: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
MAGIC Vendor Code(s) Vendor must be in MAGIC before a CP-1 can be issued.				
Place Order To Vendor Name: Center for Internet Security Vendor Address: 31 Tech Valley Drive, East Greenbush, NY 12061			Remit To Vendor Name: Center for Internet Security 31 Tech Valley Drive, East Greenbush, NY 12061	

By my signature, I certify that, to the best of my professional knowledge: the requested product or services are a sole source as outlined in the ITS Procurement Handbook, Rule 207.2:013-030 Procurement Types: Sole Source, and as outlined in Mississippi Code annotated Section 31-7-

Attachment A

13. In addition, I acknowledge that there is a charge for ITS procurement services associated with this request which will be billed to the requestor by ITS and that my agency/public university is responsible for these charges/costs.

CRAIG P. ORGAKOW, PhD, EXEC. DIR.

Name (Agency Head or Institution CIO) Title

gndg

Signature

5/6/16

Date



Center for Internet Security

Mid-Atlantic Headquarters
1700 North Moore Street
Suite 2100
Arlington, VA 22209
703-600-1935

Northeast Headquarters
31 Tech Valley Drive
East Greenbush, NY 12061
516-206-3465

April 28, 2016

The Center for Internet Security Inc. (CIS) is the sole source from which to purchase a CIS Security Benchmarks Membership and to obtain the right to use the CIS Benchmarks and Scoring Tools. CIS is the only organization which has produced and distributes consensus based benchmarks, covering a wide variety of operating systems, applications, and devices. CIS Security Benchmarks Memberships are not currently offered for purchase through a reseller.

Regards,

A handwritten signature in black ink, which appears to read "Kerry Coffey". The signature is fluid and cursive, with a large loop at the end.

Kerry Coffey
Senior VP of Business Development

Dated as of April 28, 2016

Attachment C: Sole Source Procurement Overview

The acquisition of information technology for all state agencies and institutions of higher learning (IHLs) is within the scope of the ITS law, found in Mississippi Code Section 25-53-1, et seq., and the policies and procedures established in accordance with this statute, found in the ITS Procurement Handbook posted on the ITS website (www.its.ms.gov).

ITS enabling legislation requires that information technology hardware, software and services be acquired in a manner that insures the maximum of competition among all manufacturers and suppliers of such equipment and services. Accordingly, ITS promotes full and open competition through the issuance of open specifications and the objective evaluation of Interested Party proposals to determine the lowest and best offering to meet an agency's or public university's business requirements. True competition protects the integrity and credibility of purchasing in the public sector and is essential in providing best value and adequate contractual protection for the purchasing entity. In certain limited situations, information technology acquisitions may be sole-sourced.

ITS utilizes the provisions of Public Purchasing Law for Sole Source and Emergency procurements of information technology. Mississippi Public Purchasing Law (Mississippi Code Section 31-7-13) specifies that noncompetitive items available from one source only be exempted from bid requirements (sole-sourced). ITS statute, in Section 25-53-5 (p), permits ITS to utilize provisions in Public Purchasing Law or regulations, when applicable.

Per Public Purchasing law, acquisitions must meet the following criteria to be authorized as sole source:

1. The product or services being purchased must perform a function for which no other product or source of services exists,
2. The purchaser must be able to show specific business objectives that can be met only through the unique product or services, AND
3. The product or services must be available only from the manufacturer and NOT through resellers who could submit competitive pricing for the product or services. The vendor's correspondence regarding this criterion for this project is included as Attachment B.

By policy as documented in the ITS Procurement Handbook, acquisitions of IT services must include the following information to be authorized as sole source:

1. An explanation about why the amount to be expended is reasonable, and
2. An explanation regarding the efforts by the purchaser to obtain the best possible price.

For state agencies, approval of all technology purchases with a lifecycle cost of \$5,000 or less, including sole source purchases, has been delegated to the agency. The ITS Procurement Limits Policies for Agencies (a section in the ITS Procurement Handbook) require a minimum of two competitive written bids or proposals for technology purchases with a lifecycle cost over \$5,000 but not over \$50,000 (not over \$25,000 for projects funded by the American Recovery and Reinvestment Act). Since, for single source items, the procuring agency will be unable to obtain two written bids, ITS must certify all sole source acquisitions of information technology with a lifecycle cost greater than \$5,000.

Institutions of Higher Learning (IHLs) or public universities have been delegated the authority to certify sole source procurements up to \$250,000 lifecycle cost under the ITS Procurement Limits Policies for IHLs (a section in the ITS Procurement Handbook). For the certification of sole source procurements delegated to the CIOs at public universities, the public university must follow ITS' Sole Source Procedure, including advertisement of the intent to award as sole source. Institutions certifying a sole source purchase must ensure the criteria listed above are met and documented in writing by the institution and the Interested Party prior to certifying a product or service as sole source. Sole source documentation must be reviewed and approved by the IHL's CIO for any sole-source certification above \$5,000. All sole source documentation should be retained in the public university's procurement file. Sole source requests above \$250,000 lifecycle cost require ITS approval.

Attachment C: Sole Source Procurement Overview

Other than the delegations outlined above, all sole source technology procurements must be certified by ITS. The customer's Sole Source Certification Request for this project is included as Attachment A.

ITS thoroughly reviews Sole Source Certification Requests, determining if competing products and/or services exist. If so, ITS conducts a competitive procurement. If ITS' review confirms the sole source, then a Sole Source advertisement is issued, giving other Interested Parties an opportunity to identify competing products and/or services. Based upon the results of the Sole Source advertisement, ITS will either certify the request as a sole source or conduct a competitive procurement.